REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	25 September 1998
Name of applicant/court:	The District Court at Wellington
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	james2.jpg
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image
Country of Origin:	Not Applicable
Language:	Not Applicable

● ●

Components of film originally examined:

Feature:	Not Applicable	Running time:	
Trailers:		Running time:	
		Total Running time:	

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

… Please turn over

That when the publication is on public display, the classification given to the publication must be shown on the publication; or any package in which the publication is kept.

Descriptive Note:

Not Applicable.

● ●

Direction to issue a label has been given on Not Applicable

● ●

SUMMARY OF THE REASONS FOR DECISION:

The computer image entitled *james2.jpg* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

This classification is due to the explicit depiction of sexual activity intended for the sexual stimulation of the viewer. The publication is a printed 'thumbnail' reproduction of a computer image file. The image is a black and white photograph in landscape orientation of a naked male with an erect penis lying on his back masturbating. The male's face is turned toward the viewer. Although the image is slightly fuzzy, the male presents as a fully developed adult; he is muscular and his penis is of adult proportions. The image measures 2.5 cm wide x 1.7 cm high. The title *james2.jpg* is the file name and appears beneath the image, with a date and time reference.

Consideration has been given to the relevant provisions of the New Zealand Bill of Rights Act 1990 as they relate to this publication. The limit on freedom of expression resulting from this classification is considered to be reasonable and demonstrably justified, given the objective of preventing harm to the public and the explicitly sexual, deliberately titillatory nature of the image.

OFLC Ref: 9800366